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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

MORGAN PLANTATION, INC. : DOCKET NO. 2:16-cv-1620

VS. : CHIEF JUDGE DRELL

TENNESSEE GAS PIPELINE CO., : MAGISTRATE JUDGE KAY  
LLC ET AL.

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including the objections filed, determining that the findings are correct under the applicable law;

**IT IS ORDERED** that the Motion for a More Definite Statement [doc. 6] be **DENIED** and that the Motions to Dismiss [docs. 5, 6] be **GRANTED** in the following respects:

1. Counts 1 and 2 should be dismissed without prejudice as to Exxon.
2. Count 3 should be dismissed without prejudice as to both defendants.
3. Count 5 should be dismissed without prejudice as to both defendants.
4. The portion of Count 7 alleging breach of an express lease provision should be dismissed without prejudice as to both defendants.
5. Count 9 should be dismissed without prejudice as to both defendants.
6. Count 10 should be dismissed without prejudice as to both defendants.
7. The claim to entitlement of civil fruits should be dismissed without prejudice as to both defendants.

In all other respects, the Motions to Dismiss are **DENIED**.

**THUS DONE AND SIGNED** at Alexandria, Louisiana, on this 26<sup>th</sup> day of October,  
2017.



**DEE D. DRELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT**